

REMARKS

Claims 1-16 have been rejected under 35 U.S.C. 103 (a) as allegedly being obvious over the combined teachings of Cutler et al. (US 6,117,820), Osborn et al. (US 6,010,979) and Finch, Jr. (US 5,078,781), further in view of Albright & Wilson (EP 0 388 239). Applicants respectfully traverse.

Cutler et al. (US 6,117,820) is not available as prior art against the present application as the patent published after the filing date of the instant application and has the same inventive entity (Julia Cutler and Michael Bean) as the instant application, i.e., Cutler is not a patent "by another".

The Osborn, Finch and Albright & Wilson references fail to teach or reasonably suggest the present invention for reasons set forth in the previous office action.


In view of the above arguments, Applicant respectfully submits that the rejections under 35 U.S.C. § 103(a) have been overcome and hereby request that this application be passed to issue.

As this response is submitted within three months from the mailing date of the Office Action, no fee is necessary.

However, in the event the undersigned is mistaken in his calculations, an appropriate extension of time to respond is respectfully requested, and the Commissioner is authorised to debit the appropriate fee for that extension, or any other fee, from the deposit account of the undersigned, no 50-1676 in the name of Syngenta Crop Protection, Inc.

Respectfully submitted,

Syngenta Crop Protection, Inc.
Patent and Trademark Dept.
410 Swing Road
Greensboro, NC 27409
(336) 632-7586



Thomas Hamilton
Attorney for Applicant
Reg. No. 40,464

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